

2005 DRAFTING REQUEST

Bill

Received: **11/30/2004**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Statz**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - drugs**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**
michael.dsida@legis.state.wi.us

Pre Topic:

DOA:.....Statz, BB0289 -

Topic:

Crime laboratories and drug law enforcement surcharge

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 12/15/2004	jdye 12/29/2004	rschluet 12/29/2004	_____	Inorthro 12/29/2004		State
/P2	chanaman 01/10/2005	jdye 01/10/2005	rschluet 01/10/2005	_____	lemery 01/10/2005		State

FE Sent For:

<END>

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DOA:.....Statz, BB0289 -

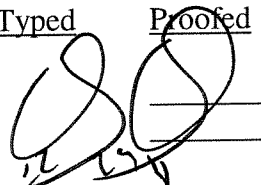
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/P1	chanaman	1/12/29 JLD					

FE Sent For:

<END>

05-07
2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Crime laboratories and drug law enforcement surcharge
- Tracking Code: BB0289
- SBO team: T&J
- SBO analyst: Andrew J. Statz
 - Phone: 266-7329
 - Email: andrew.statz@doa.state.wi.us
- Agency acronym: DOJ
- Agency number: 455



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: November 26, 2004

To: Steve Miller, Chief
Legislative Reference Bureau

From: Andrew J. Statz, Analyst *AS*
State Budget Office

Subject: Budget draft request relating to the crime laboratories and drug law enforcement surcharge

I am requesting statutory language be drafted for inclusion with the 2005-07 biennial budget bill. The draft will increase the crime laboratories and drug law enforcement surcharge under s. 165.755 from \$7 to \$8.

The draft will also require the transfer of unencumbered balances from the appropriation accounts under ss. 20.455(2)(kd), (Lm) and 20.475(1)(km) to the general fund at the end of every fiscal year.

If you have any questions, please contact me at 266-7329 or andrew.statz@doa.state.wi.us.

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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1059/P1

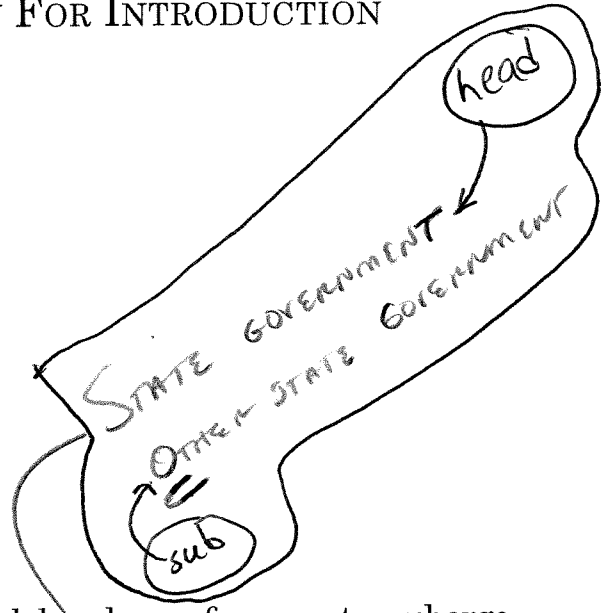
CMH:.....

jld

1/3

DOA:.....Statz, BB0289 - Crime laboratories and drug law enforcement surcharge

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION



~ don't see cat ✓

1

AN ACT ...; relating to: crime laboratories and drug law enforcement surcharge.

Analysis by the Legislative Reference Bureau

Under current law, with some exceptions, if a court imposes a sentence, places a person on probation, or imposes a forfeiture for a violation of state law or a violation of a municipal or county ordinance, a court must impose a \$7 crime laboratories and drug law enforcement surcharge. This bill increases the surcharge to \$8.

This bill lapses to the general fund at the end of every fiscal year all moneys received from the surcharge and appropriated to DOJ for the purposes of providing deoxyribonucleic acid (DNA) analysis, administering a DNA data bank, and paying for the costs of mailing and materials in DOJ's role as a center for the clearance of information between law enforcement officers, activities relating to drug law enforcement, drug law violation prosecution assistance, and activities of the state and regional crime laboratories and appropriated to DOA for DNA evidence activities.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

the purpose of

1 **SECTION 1.** 20.455 (2) (kd) of the statutes is amended to read:

2 20.455 (2) (kd) *Drug law enforcement, crime laboratories, and genetic evidence*
3 *activities.* The amounts in the schedule for activities relating to drug law
4 enforcement, drug law violation prosecution assistance, activities of the state and
5 regional crime laboratories, and for transferring to the appropriation account under
6 s. 20.475 (1) (km) the amounts in the schedule under s. 20.475 (1) (km). All moneys
7 transferred from the appropriation account under par. (Lm) shall be credited to this
8 appropriation account. Notwithstanding s. 20.001 (3) (a), on June 30 of each year the
9 unencumbered balance in this appropriation account lapses to the general fund.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326.

10 **SECTION 2.** 20.455 (2) (Lm) of the statutes is amended to read:

11 20.455 (2) (Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys
12 received from crime laboratories and drug law enforcement assessments authorized
13 under s. 165.755 and deoxyribonucleic acid analysis surcharges authorized under s.
14 973.046 to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay for
15 the costs of mailing and materials under s. 165.76 for the submission of biological
16 specimens by the departments of corrections and health and family services and by
17 county sheriffs and to transfer to the appropriation account under par. (kd) the
18 amounts in the schedule under par. (kd). Notwithstanding s. 20.001 (3) (c), on June
19 30 of each year the unencumbered balance in this appropriation account lapses to the
20 general fund.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326.

21 **SECTION 3.** 20.475 (1) (km) of the statutes is amended to read:

22 20.475 (1) (km) *Deoxyribonucleic acid evidence activities.* The amounts in the
23 schedule for deoxyribonucleic acid evidence activities. All moneys transferred from

1 s. 20.455 (2) (kd) for the purpose of this appropriation shall be credited to this
2 appropriation account. Notwithstanding s. 20.001 (3) (a), on June 30 of each year,
3 the unencumbered balance in this appropriation account lapses to the general fund.

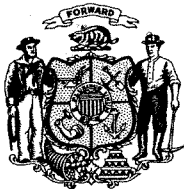
History: 1989 a. 31, 117, 122; 336; 1991 a. 39; 1993 a. 16; 1995 a. 20, 448; 1999 a. 9; 2001 a. 16; 2003 a. 33, 139, 326.

4 **SECTION 4.** 165.755 (1) (a) of the statutes is amended to read:

5 165.755 (1) (a) Except as provided in par. (b), a court shall impose under ch. 814
6 a crime laboratories and drug law enforcement surcharge of \$7 ~~\$8~~ if the court
7 imposes a sentence, places a person on probation, or imposes a forfeiture for a
8 violation of state law or for a violation of a municipal or county ordinance.

History: 1997 a. 27; 1999 a. 9, 72; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 30, 33, 139, 268, 326, 327.

9 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1059/P1

CMH:jld:rs

02

1/10 or 1/11

RMK

DOA:.....Statz, BB0289 - Crime laboratories and drug law enforcement surcharge

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT *done for cat*; relating to: crime laboratories and drug law enforcement surcharge.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, with some exceptions, if a court imposes a sentence, places a person on probation, or imposes a forfeiture for a violation of state law or a violation of a municipal or county ordinance, a court must impose a \$7 crime laboratories and drug law enforcement surcharge. This bill increases the surcharge to \$8.

This bill lapses to the general fund at the end of every fiscal year all moneys received from the surcharge and appropriated to DOJ for the purposes of providing deoxyribonucleic acid (DNA) analysis, administering a DNA data bank, and paying for the costs of mailing and materials in DOJ's role as a center for the clearance of information between law enforcement officers, activities relating to drug law enforcement, drug law violation prosecution assistance, and activities of the state and regional crime laboratories and appropriated to DOA for the purpose of DNA evidence activities.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.455 (2) (kd) of the statutes is amended to read:

2 20.455 (2) (kd) *Drug law enforcement, crime laboratories, and genetic evidence*
3 *activities.* The amounts in the schedule for activities relating to drug law
4 enforcement, drug law violation prosecution assistance, activities of the state and
5 regional crime laboratories, and for transferring to the appropriation account under
6 s. 20.475 (1) (km) the amounts in the schedule under s. 20.475 (1) (km).[✓] All moneys
7 transferred from the appropriation account under par. (Lm) shall be credited to this
8 appropriation account. Notwithstanding s. 20.001 (3) (a), on June 30 of each year the
9 unencumbered balance in this appropriation account lapses to the general fund.

10 **SECTION 2.** 20.455 (2) (Lm) of the statutes is amended to read:

11 20.455 (2) (Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys
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14 973.046 to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay for
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16 specimens by the departments of corrections and health and family services and by
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24 s. 20.455 (2) (kd) for the purpose of this appropriation shall be credited to this

1 appropriation account. ~~Notwithstanding s. 20.001 (3) (a), on June 30 of each year,~~
2 ~~the unencumbered balance in this appropriation account lapses to the general fund.~~

3 **SECTION 4.** 165.755 (1) (a) of the statutes is amended to read:

4 165.755 (1) (a) Except as provided in par. (b), a court shall impose under ch. 814
5 a crime laboratories and drug law enforcement surcharge of \$7 \$8 if the court
6 imposes a sentence, places a person on probation, or imposes a forfeiture for a
7 violation of state law or for a violation of a municipal or county ordinance.

8 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1059/P2
CMH:jld:rs

DOA:.....Statz, BB0289 - Crime laboratories and drug law enforcement surcharge

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21 **SECTION 3.** 165.755 (1) (a) of the statutes is amended to read:

22 165.755 (1) (a) Except as provided in par. (b), a court shall impose under ch. 814
23 a crime laboratories and drug law enforcement surcharge of \$7 \$8 if the court

1 imposes a sentence, places a person on probation, or imposes a forfeiture for a
2 violation of state law or for a violation of a municipal or county ordinance.

3 (END)